

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

ANDREAS HIRSCH ET AL.

Serial No.: 10/790,153

Filed: March 1, 2004

For: USE OF BUCKYSOME OR CARBON
NANOTUBE FOR DRUG DELIVERY

Confirmation No.: 9981

Group Art Unit: 1618

Examiner: Jagadishwar Rao Samala

Attorney Docket: 4451.003300/RFE

CUSTOMER NO. 23720

**RESPONSE TO RESTRICTION REQUIREMENT
DATED NOVEMBER 1, 2006**

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is submitted in response to the Restriction Requirement dated November 1, 2006, for which the date for response is December 1, 2006.

It is believed that no fee is due; however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to this document, the Director is authorized to deduct said fees from Williams, Morgan & Amerson, P.C. Deposit Account No. 50-0786/4451.003300RE.

In the Restriction Requirement, the Examiner stated restriction was required to one of three inventions:

Group	Claims	Directed to
I	1-9	Method of administering a therapeutic molecule comprising an effective amount of amphifullerene liposome
II	10-14	Amphifullerene liposome
III	15-16	Method of forming an amphifullerene liposome

In response to the restriction requirement, Applicants elect Group II, claims 10-14, without traverse.

The Examiner also required election of species relating to functional groups (claims 2 and 11), diagnostic molecules (claims 5 and 12), and formation of amphifullerene liposomes (claims 15 and 16). Applicants elect the species of tissue recognition moieties of claim 11 and CT contrast agents of claim 12. Applicants submit an election of a species of formation of amphifullerene liposomes is not required at this time because claims 15 and 16 are drawn to an invention withdrawn from consideration by the response to the restriction requirement presented above.

The Examiner is invited to contact the undersigned patent agent at (713) 934-4065 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,

WILLIAMS, MORGAN & AMERSON, P.C.
CUSTOMER NO. 23720

November 21, 2006

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